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1928

# JURORS' FEES

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<b>JURORS' FEES.</b> Senate Constitutional Amendment 27. Amends Section 5, Article XI, of Constitution. Authorizes the Legislature to regulate the compensation of grand and trial jurors in all courts within the classes of counties permitted to be made by that section; eliminates the provision therein fixing a maximum compensation for jurors of three dollars per day and mileage.	YES	
	NO	

(For full text of Measure see page 42, Part II)

**Argument in Favor of Senate Constitutional Amendment No. 27**

This amendment to section 5 of article XI of the constitution passed both houses of the legislature without a dissenting vote. This section of the constitution relates to the compensation of officers and jurors in the several counties of the state.

There is no change in the present law except that part of it dealing with the compensation of grand and trial jurors, and no change in that, except that the maximum pay they are to receive has been left out.

The change comes in the last paragraph of the section which now reads: "It (the legislature) may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made; [such compensation, however, shall not, in any class, exceed the sum of three dollars per day and mileage]." That part of it as shown in the brackets has been left off in the proposed amendment, and that is the only change.

Grand and trial jurors are the only ones that have this limitation placed upon the compensation they are to receive, and this proposed amendment but removes this restriction.

By the adoption of this proposed amendment the law is thus made flexible that the legislature may regulate the compensation of trial and grand jurors in all counties in the same manner, and to the same effect, as the legislature now sets the compensation of all other county officials.

This will allow the legislature, from time to time, in all probability upon the recommendation of the boards of supervisors of the county seeking the change, to increase the compensation of those who serve their county in this capacity, in a just and equitable way.

Vote Yes.

THOMAS A. MALONEY,  
State Senator, Twenty-third District.

RAY JONES,  
State Senator, Sixth District.

<b>STOCKHOLDER'S LIABILITY.</b> Senate Constitutional Amendment 5. Amends Section 3, Article XII, of Constitution. Declares constitutional provision imposing stockholder's liability for debts of corporation or joint-stock association, and director's or trustee's liability to creditors and stockholders for moneys embezzled or misappropriated by officers, shall not apply to exposition company organized to conduct fairs, sports, games or exhibitions authorized by law, nor to California corporation using "Limited" or "Ltd." as last word of corporate name, subjecting stockholders of latter to such liabilities as Legislature may provide; declares section inapplicable to liabilities already incurred against stockholders in corporation created before adoption of amendment.	YES	
	NO	

(For full text of Measure see page 42, Part II)

**Argument in Favor of Senate Constitutional Amendment No. 5**

This amendment, number 16 on the ballot to be voted on at the general election of 1929, is the amendment submitted by the legislature of 1927—Senate Constitutional Amendment No. 5. It is intended to enable the legislature of 1929 to adopt such measures as will remove the

discrimination in, and the abuses of, the California Incorporation Law now in force. Under existing conditions many hundreds of companies each year take advantage of the more favorable laws in force in other states and pay their incorporation and other fees in such states, which would not be the case if California's law is changed so that California property, as well as properties in other states, can be incorporated

[Twenty-three]

<b>JURORS' FEES.</b> Senate Constitutional Amendment 27. Amends Section 5, Article XI, of Constitution. Authorizes the Legislature to regulate the compensation of grand and trial jurors in all courts within the classes of counties permitted to be made by that section; eliminates the provision therein fixing a maximum compensation for jurors of three dollars per day and mileage.	YES	
	NO	

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section five of article eleven of the constitution of the state, relating to the compensation of county officers and jurors.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its forty-seventh regular session commencing on the third day of January, 1927, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 5 of article XI of the constitution be amended to read as follows:

**PROPOSED AMENDMENT**

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to duties, and may also establish fees to be charged and collected by such officers for services performed in their respective offices, in the manner and for the uses provided by law, and for this purpose may classify the counties by population; and it shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for

all public and municipal moneys which may be paid to them, or officially come into their possession. It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made.

**EXISTING PROVISIONS**

(Provisions proposed to be repealed are printed in italics)

Sec. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to duties, and may also establish fees to be charged and collected by such officers for services performed in their respective offices, in the manner and for the uses provided by law, and for this purpose may classify the counties by population; and it shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and all public and municipal moneys which may be paid to them, or officially come into their possession. It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made; *such compensation, however, shall not, in any class, exceed the sum of three dollars per day and mileage.*

<b>STOCKHOLDER'S LIABILITY.</b> Senate Constitutional Amendment 5. Amends Section 3, Article XII, of Constitution. Declares constitutional provision imposing stockholder's liability for debts of corporation or joint-stock association, and director's or trustee's liability to creditors and stockholders for moneys embezzled or misappropriated by officers, shall not apply to exposition company organized to conduct fairs, sports, games or exhibitions authorized by law, nor to California corporation using "Limited" or "Ltd." as last word of corporate name, subjecting stockholders of latter to such liabilities as Legislature may provide; declares section inapplicable to liabilities already incurred against stockholders in corporation created before adoption of amendment.	YES	
	NO	

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of said state by amending section three of article twelve thereof, relating to the liability of stockholders and directors.

The Legislature of the State of California, at its regular session commencing on the third day of January, 1927, two-thirds of all of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section 3 of article XII of the constitution of the State of California be amended to read as follows:

[Forty-two]

**PROPOSED AMENDMENT**

(Proposed changes in provisions are printed in black-faced type)

Sec. 3. Each stockholder of a corporation, or joint-stock association, shall be individually and personally liable for such proportion of all debts and liabilities contracted or incurred during the time he was a stockholder, as the amount of stock or shares owned by him bears to the whole of the subscribed capital stock or shares of the corporation or association. The directors or trustees of corporations and joint-stock associations shall be jointly and severally